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CENTRAL FAX CENTER**

U.S. Application No. 10/796,301
Docket No. K06-167785M/TBS
(NGB.376)

JUL 17 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Jun HAMAKITA et al.

ENTRY NOT RECOMMENDED

/Marc Scharich/

Serial No.: 10/796,301

Group Art Unit: 3611

07/28/2008

Filed: March 10, 2004

Examiner: Marc A. Scharich

For: **ELECTRIC POWER STEERING DEVICE**

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.132

Sir:

We, Jun Hamakita and Yoshikazu Kawada, hereby declare and state:

THAT we are citizens of Japan residing at Nara Japan;

THAT we graduated from Tottori University and Toyohashi University of Technology, receiving a Masters Degree of Mechanical Engineering, and a Masters Degree of Mechanical Engineering, respectively;

THAT we are familiar with the Office Action dated March 18, 2008, where the Examiner asserted that Claims 1-5, 10, 12, 14, and 16 are rejected in view of U.S. Patent No. 5,482,127 to Eda et al. (hereinafter "Eda") in view of U.S. Patent No. 3,234,758 to Lewis and that Claim 11 is rejected in view of Eda and Lewis in further view of U.S. Patent No. 6,900,564 to Kobayashi et al. (hereinafter "Kobayashi"). In particular, where the Examiner maintains that the claimed kinematic viscosities and work penetrations merely tested physical properties and are therefore obvious in view of Eda and Lewis;